

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p align="center">THE UNITED STATES</p> <p align="center"><i>vs.</i></p> <p align="center">David Wayne Bell <i>B. Bell</i></p> <p align="right">(Bell) 1312 North Canton Tulsa, Okla. 74115</p>	<p><i>For U. S.:</i></p> <p>Hubert H. Bryant Robt. Marshal Dept of Justice Washington, D.C.</p> <p><i>For Defendant:</i></p> <p>Phil Frasier (Ret) <i>939-2445</i> 1406 Terrace Dr., Tulsa</p>

1 Count

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>9-30-72</i>	Clerk					
J.S. 3 mailed <i>2-28-73</i>	Marshal					
Violation Deprived deft. of rights Title 18	Docket fee					
Sec. 242						

DATE	PROCEEDINGS
9-27-72	Information, filed. Summons issued. g
10-5-72	Marshal's return of service of summons, filed. Served def. on 10/2/72 in Tulsa. rm
10-10-72	Defendant present in person and rep. by Phil Frasier, ret. counsel. Jms. Fransien withdrawn as retained counsel. Information filed, def. arraigned and enters plea of NOT GUILTY, and case passed to next Jury Docket. Def. granted 10 days to file motions. Court grants def. leave to make bond in amt of \$500.00. Bond fixed in that amount. (AEB-J)h (Jms. Fransien directed to submit letter of withdrawal.)
10-10-72	Bond of the defendant in the amt of \$500 (personal) filed. h
10-10-72	Order specifying methods and conditions of release filed.h
10-17-72	Application of James W. Fransein to withdraw as attorney of record, filed. ds Approved and allowed to withdraw. (AEB-J) ds <i>Copy to Fransein</i>
12-15-72	Case transferred to Judge Daugherty for jury trial. (AEB-J)rm
12-15-72	Case set for jury trial at 9:30 a.m. 1-8-72. (FD-J) rm

DATE	PROCEEDINGS
1-4-73	Marshal's return on five (5) subpoenas to testify and one subpoena to produce documents, filed. (USM \$20.52) rm
1-8-73	Jury Trial held on 1-8-73 and 1-9-73. Deft present in person w/counsel Phil Frazier; Govt rep by Robert R. Marshal (adm. for trial) and Hubert H. Bryant. Deft's Mtn for Judgment of Acq. was denied. Bailfiff sworn. Jury retires to deliberate at 4:00 P.M. 9:30 A.M. on Tues. 1-9-73, Jury deliberating. 10:30 A.M. Jury returns w/o decision in case. Court declares a Mis-trial in this case. (FD-J)r (2 court exh. attached to minute sheets)
1-9-73	Pltf exh. 1 is in vault. Pltf exh. 2 is in file. r
1-9-73	Deft exh. 1 is in filed. r
1-10-73	Marshal's return on subpoena to testify, filed. rm
1-12-73	Case set for jury trial 2-12-73 at 9:30 a.m. (FD-J)hm
1-16-73	U.S. Marshal's return on two (2) subpoenas to testify ; and two (2) subpoenas to produce documents filed. h
1-26-73	Appl. of the Deft. that he be furnished a transcript of the entire proceedings of the previous trial, and that it be at the Govt.'s expense, and that the Court will issue the necessary subpoenas at expense of Govt., filed. v
1-30-73	Transcript of Evidentiary Proceedings, before Jury Trial before Judge Daugherty, on 1-8-73, filed by R. Lee Cook, CSR. v <i>order to Judge.</i>
1-31-73	Ordered by the court that deft is to sign and file Financial Affidavit in order to obtain a transcript in this case. Also ordered that deft is allowed to subpoena same witnesses used in previous trial at Govt Expense. (FD-J)r
2-1-73	Financial Affidavit (David Wayne Bell) filed. js
2-2-73	Order filed, granting deft's request to obtain transcript and to issue subpoenas to witnesses who appeared in previous trial, filed. (FD-J)r (Copies mailed to attys & Lee Cook)
2-6-73	Application to Withdraw Govts. Trial Exhibits, filed. jj Order to Judge.
2-6-73	Order, filed, permitting withdrawal of Exhibits No. 1 and 2, submitted by the Plaintiff. (FD-J)v
2-7-73	Certified copy of above order, showing that Hubert H. Bryant received exhibits No. 1 and 2, filed. v
2-9-73	7 Subpoenae, ret. & filed.
2-12-73	Case continued from 2-12-73 to 2-13-73 at 9:30 A.M. (FD-J)r
2-13-73	Jury Trial held. Deft present in person and with counsel, Phil Frazier; Govt. rep by Robert Marshal. Deft's Motion for Judg. of Acquittal was denied. Bailfiff Sworn. Jury retires to deliberate at 2:50 P.M. At 6:30 P.M., Jury returns w/verdict. <u>Verdict received, read & filed in Open Court.</u> Jury is discharged. Court having asked the deft and his atty whether they have anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown:

(CONTINUE)

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
	JUDGMENT & ORDER OF PROBATION - <u>DAVID WAYNE BELL</u> (27) It is adjudged that the imposition of sentence is hereby reserved and the defendant is placed on probation for a period of: Count One - Six (6) Months, from this date. Deft is advised of his right to appeal within 10 days. Deft to report to the Probation Office. (FD-J)r
2-13-73	Judgment & Order of Prob., filed and entered. (FD-J)r
2-13-73	Two c.c. to the Prob. Office. r
2-13-73	Pltf's Exhs #1 & 3 in vault. Exh. #2, in file. r
2-21-73	Subpoenae (4), ret. & filed. g
2-23-73	Minute Order: It is ordered by the Court that the defendant David Wayne Bell, having properly shown himself to be an indigent person, is granted leave to file notice of appeal without prepayment of costs or fees. (FD-J)g
2-23-73	Notice of appeal by defendant Bell, filed. cpy to USCA, US Atty and Phil Frazier. g
2-23-73	Application to Withdraw, filed. jj
2-28-73	Application to Withdraw Government's Trial Exhibits No. 2 and 3, filed. jj
2-28-73	Order filed, denying Appl to withdraw Phil Frazier as atty, filed. (FD-J)r (Copies mailed to Deft & Attys)
3-5-73	Order permitting pltf. to withdraw exhibits 2 and 3, and substitute ex.2, with a photocopy therefor. (FD-J) rm
4-3-73	Appl. of def. for ext. of time to 5/4/73 to docket and file appeal, filed. rm <i>(See Court Order prepared on 4/23/73 - 10:00 AM - 10:00 PM)</i>
4-4-73	Order granting time for filing and docketing appeal to 4/23/73. (FD-J)rm (copies to counsel and USCA)
4-4-73	Order granting def. leave to prosecute appeal in f.p. w/transcript to be prepared at govt. expense. (FD-J)rm - copies to counsel and USCA
4-17-73	Transcript of evidentiary proceedings had on 2/13/73, filed. (L.Cook, Ct. Rep) rm
4-18-73	Appeal record (orig. & 3 vols.) to USCA. rm
6-13-73	Appl. of Phil Frazier for atty fee, filed. rm
6-26-73	Order filed, denying appl of Phil Frazier for Atty fees, filed. (FD-J)r (Copies mailed to deft. and deft's atty.)
2-21-74	Mandate & Opinion of USCA affirming judgment of 2-13-73, filed and spread of record. g
2-28-74	Appeal record (2 vols.) & 1 vol. of suppl. record, rec'd from USCA. g
6-19-74	Petition for Writ of Certiorari denied. (Letter from USCA)g
11-25-75	Order allowing transfer of trial exhibit, filed, directing that pltf's exhibit No. 1 be transferred to the FBI for disposition. (FD-J)hm

DATE	PROCEEDINGS